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SUMMARY RECORD OF THE 58th MEETING

Chairman: Mr. VILCHEZ ASHER (Nicaragua)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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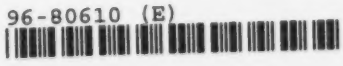

The meeting was called to order at 3.15 p.m.

AGENDA ITEM 116: PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997 (continued)

Revised estimates under section 3, Peace-keeping operations and special missions; section 32, Staff assessment; and income section 1, Income from staff assessment: Commission of Inquiry in Rwanda (A/C.5/50/60)

1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had considered the report of the Secretary-General on the Commission of Inquiry in Rwanda contained in document A/C.5/50/60. Paragraph 91 (c) of the Commission's final report had recommended a reduction in the number of members of the Commission, and the Secretary-General had therefore proposed a composition of four instead of six members, including the Commission's Chairman. The Chairman of the Commission would be a United Nations staff member, appointed by the Secretary-General at the D-2 level, while the other three members would be made available by Governments on a non-reimbursable basis. The Commission would be supported by three international staff (1 P-5, 1 P-3 and 1 General Service post) and five local posts for two interpreters and three drivers. The Advisory Committee had no objections to those proposals.

2. The total estimated requirements of the Commission for the period from 1 May to 31 December 1996 amounted to $998,800 gross ($931,800 net), as indicated in paragraph 10 of the Secretary-General's report. Upon inquiry, the Advisory Committee had been informed that the Commission's expenditures for the period from 1 November 1995 to 31 December 1995 had amounted to $391,333 net.

3. The Advisory Committee noted from paragraph 3 of the annex to the Secretary-General's report that a provision of $40,700 was proposed for the rental of up to three vehicles during the eight-month period at a daily rate of $50 for 240 days ($36,000), and oil and lubricants were estimated at $4,700. The Advisory Committee recalled that air support, vehicles and communication had been provided to the Commission of Inquiry by other United Nations missions in the area, and recommended that the Secretary-General should continue to take advantage of such arrangements particularly by using vehicles previously provided to the United Nations Assistance Mission for Rwanda (UNAMIR). The Advisory Committee further noted from paragraph 6 (a) of the annex that provision had been made for hospitality at the rate of $1,000 per month ($7,200), but was of the view that that provision was excessive.

4. With regard to the proposals contained in paragraph 12 of the Secretary-General's report, the Advisory Committee recommended that the Secretary-General should be authorized to enter into commitments of up to $931,800 under section 3 (Peace-keeping operations and special missions) of the programme budget for the biennium 1996-1997. Commitments not exceeding $67,000 would also arise under section 32 (Staff assessment), to be offset by the same amount under income section 1 (Income from staff assessment). Any additional assessment would be considered by the General Assembly in the context of the first performance report for the biennium 1996-1997.

5. Ms. SHENWICK (United States of America) said that her delegation fully expected the financial costs of the operation to be met within the current budget level, and was therefore not prepared to support either the Advisory Committee's recommendations or the Secretary-General's requests. Rather, her delegation favoured a decision similar to that adopted for the United Nations Mission in El Salvador (MINUSAL) and the Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) whereby the Commission would be accorded the same budget status as those of other operations in respect of which commitment authority was being granted from 1 May to 31 December 1996, subject to receipt of the report the Secretary-General was expected to submit by 15 May 1996.

6. Mr. ODAGA-JALOMAYO (Uganda) said that his delegation had no objection to approving the necessary commitment authority to allow the activity of the Commission to continue, but wished to discuss the matter in greater detail at a later date.

7. Mr. AMARI (Tunisia) said that his delegation also had no objection as long as the commitment authority to be given the Secretary-General was similar to that approved for MINUSAL.

8. The CHAIRMAN suggested that the Committee should recommend to the General Assembly the following draft resolution:

"The General Assembly,

"Having considered the report of the Secretary-General concerning the Commission of Inquiry in Rwanda (A/C.5/50/60) and the recommendations of the Advisory Committee on Administrative and Budgetary Questions (see A/C.5/50/SR.58),

"Recalling that the General Assembly in its resolution 50/214, of 23 December 1995, already requested the Secretary-General to make economies in an amount of 103,991,200 United States dollars and also requested the Secretary-General to fully implement all mandated programmes and activities and reaffirming the budgetary process adopted in its resolution 41/213, of 19 December 1986, and subsequent relevant resolutions,

"1. Decides to authorize the Secretary-General to enter into commitments in the amount up to 931,800 United States dollars (net of staff assessment) under section 3 of the programme budget for the biennium 1996-1997 for the maintenance of the Commission;

"2. Requests the Secretary-General to present to the General Assembly, no later than 15 May 1996, proposals on possible means of absorption in the 1996-1997 programme budget, including, inter alia, in part II thereof;

"3. Also requests the Fifth Committee to revert to the issue of appropriations, at the latter part of its May 1996 session, in the light of the Secretary-General's proposals requested herein."

9. The draft resolution was adopted.

AGENDA ITEM 136: FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991 (continued) (A/50/925; A/C.5/50/41)

AGENDA ITEM 160: FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994 (continued) (A/50/923; A/C.5/50/16, A/C.5/50/47 and A/C.5/50/54)

10. Mr. FERRARIN (Italy), speaking on behalf of the European Union, said that the high vacancy rate of the Tribunals for the former Yugoslavia and Rwanda had led to an underestimation of the actual costs of those Tribunals when fully staffed. The full annual costs of the Tribunals would then be close to $70 million for the Tribunal for the former Yugoslavia and $55 million for the Tribunal for Rwanda, for a total of $125 million or 10 per cent of the annual regular budget of the United Nations. The European Union noted that the programme budgets for the Tribunals had not been completely implemented, and that no performance reports had thus far been submitted.

11. Important voluntary contributions had been made to both Tribunals to cover activities which would otherwise have been financed from assessed contributions from Member States. It was therefore surprising that the Secretariat was seeking to charge a 13 per cent support cost to donors of such voluntary contributions. He requested a clarification of the basis and criteria for the calculation of the support cost, and also called for greater transparency regarding the utilization of voluntary contributions. He asked the Secretary-General to provide full details of all contributions to and expenditures from the trust funds for the Tribunals since their establishment.

12. Finally, the European Union requested information on negotiations between the United Nations and the Government of Rwanda regarding security and safety services for the personnel and premises of the Tribunal for Rwanda. It stressed the need for an appropriate protection scheme for Tribunal personnel, for which the necessary resources should be made available.

13. Mr. TAKASU (Controller) said that the financial regulations of the United Nations clearly stipulated that the Secretary-General could receive voluntary contributions in any form as long as such contributions entailed no additional financial liability for the Organization. The General Assembly had established guidelines for the acceptance of voluntary contributions, setting the standard programme support cost ratio for voluntary contributions at 13 per cent. Moreover, such contributions were to be considered as supplementary to assessed contributions. Therefore, any direct or indirect financial liability entailed in accepting such contributions should be borne outside the regular budget.

AGENDA ITEM 124: FINANCING OF THE ACTIVITIES ARISING FROM SECURITY COUNCIL RESOLUTION 687 (1991): UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION (continued) (A/50/892 and A/50/950)

14. Mr. TAKASU (Controller), introducing the Secretary-General's report contained in document A/50/892, said that the Security Council had most recently extended the mandate of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) to 6 October 1996. Two thirds of the cost of the Mission had been assumed by the Government of Kuwait on a voluntary basis since November 1993; the Organization had most recently received a payment of $19 million from that Government, covering the full cost of the Mission up to 30 April 1996.

15. The estimated cost of the Mission for the 12-month period from 1 July 1996 to 30 June 1997 amounted to $57,804,400 gross, two thirds of which, or $36,978,000, was to be funded from voluntary contributions from the Government of Kuwait. The total reflected an overall decrease of 3.7 per cent in gross terms when compared with the prorated resources approved for the preceding 12-month period, but subsequent to the publication of the cost estimate in document A/50/892, an attempt had been made to reduce the cost of the operation by reducing the number of personnel. The results of that effort had been reported to and endorsed by the Security Council, and constituted a further cost reduction of $7 million in gross terms, producing a total estimated cost of $50.7 million, subject to a decision by the Security Council to continue the Mission. The number of military observers had been reduced by 50, with comparable reductions in the numbers of international civilian staff, local staff and vehicles.

16. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the report of the Advisory Committee contained in document A/50/950, said that in the interest of economy and efficiency, measures were being taken to streamline the operation of the Mission, including a reduction by approximately 50 in the number of military observers effective sometime in August 1996. The administrative and budgetary implications of that reduction entailed a $7.1 million reduction from the Secretary-General's original cost estimate for the Mission. The Advisory Committee's recommendations were set out in paragraph 17 of its report.

17. Mr. MONAYAIR (Kuwait) said that the Government of Kuwait had made its voluntary payment in full and on time.

AGENDA ITEM 134: FINANCING OF THE UNITED NATIONS OBSERVER MISSION IN LIBERIA (continued) (A/50/650/Add.2 and 3 and A/50/922)

18. Mr. TAKASU (Controller), introducing the reports of the Secretary-General contained in documents A/50/650/Add.2, covering the six months from January to June 1996, and A/50/650/Add.3, covering the 12-month period starting on 1 July 1996, said that the Security Council had most recently extended the mandate of the United Nations Observer Mission in Liberia (UNOMIL) to the end of May 1996. The General Assembly had already taken measures to maintain the Mission until March 1996, but due to delays in the implementation of some programmes, the Secretariat had requested the permission of the Advisory

Committee for the extension to the end of May of the existing financial authority, but without changing its amount.

19. Document A/50/650/Add.2 contained a revised cost estimate for the Mission of $26,753,700 gross, but due to delays in programme implementation, $5.2 million for disarmament and demobilization could not be used and would have to be rolled over to the 12-month period beginning on 1 July 1996. The revised estimate for the first six months of 1996 was therefore to be adjusted downward to $21.6 million. An appropriation of $10.2 million was being requested for the period from 1 February to 31 May 1996, along with an appropriation of $1.6 million for the month of June 1996 in the event that the Security Council extended the mandate of the Mission.

20. Document A/50/650/Add.3 contained a cost estimate of $27,615,100 gross for the 12-month period beginning 1 July 1996, a decrease of 21 per cent compared to the preceding 12-month period. Due to the $5.2 million carry-over of disarmament and demobilization programme costs previously mentioned, however, the revised cost estimate for the maintenance of UNOMIL for the 12-month period beginning on 1 July 1996 stood at $32.8 million gross.

21. Due to the security problems currently being experienced by the Mission, many of its personnel had had to leave the country temporarily. The Security Council had requested the Secretary-General to submit a report by the end of May 1996 so that appropriate action could be taken with regard to the future of the operation. Moreover, while no change in the scheduling of the presidential and legislative elections had so far been announced, the costs associated with the full deployment of the Mission's electoral component could not be presented until the timing of those elections had been finalized.

22. Taking those uncertainties into account, the Secretary-General was requesting the General Assembly to appropriate $32.8 million gross for the Mission, should the Security Council extend its mandate for the 12-month period beginning on 1 July 1996.

23. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the report of the Advisory Committee in document A/50/922 contained recommendations on the revised budget estimates for the Mission for the period 1 January to 30 June 1996 and on the proposed budget for the period 1 July 1996 to 30 June 1997. It had not been possible to implement the operational plan as envisaged in previous reports of the Secretary-General, and when the Committee had examined the Secretary-General's current proposals it remained doubtful that the plan would ever be implemented fully. Fighting had started immediately after the Committee had approved the report on the Mission, and the deterioration of the situation in Liberia had forced the evacuation of significant numbers of UNOMIL personnel. The Secretary-General had subsequently sent an envoy to Liberia to assess the situation. The Mission had been extended by the Security Council to 31 May. After considering the report of the Secretary-General on developments in Liberia, the Council would determine what further measures would be appropriate regarding the future of the Mission.

24. The Advisory Committee's recommendations had generally been overtaken by events. He therefore suggested that the Fifth Committee should postpone action

on the report of the Advisory Committee pending a further submission by the Secretary-General once the Security Council had considered his report on developments in Liberia and had decided on the future of the Mission. The Secretary-General should be requested to report to the Fifth Committee through the Advisory Committee so that action could be taken by the General Assembly prior to the commencement of the new financial year beginning on 1 July 1996.

25. The General Assembly had given authority to spend for the period ending 31 March 1996. As indicated in paragraph 6 of its report, the Advisory Committee had authorized the Secretary-General to use resources already granted for the period ending 31 March 1996 to meet the continuing needs of the Mission for the period ending 31 May 1996. Pending action by the General Assembly, the Secretary-General should be given further commitment authority for the period 1 to 30 June 1996.

26. Mr. ODAGA-JALOMAYO (Uganda) endorsed the suggestion of the Chairman of the Advisory Committee.

27. Mr. MENKVELD (Netherlands) endorsed the suggestion made by the Chairman of the Advisory Committee, but asked for additional clarification as to its practical consequences. In particular, it would be useful to know when a new report could be submitted for the attention of the Fifth Committee. His delegation was anxious that the commitment authority for UNOMIL should not run out a second time.

28. Mr. TAKASU (Controller) said that the Secretary-General was required to respond to the Security Council by the end of May 1996. Depending on when the Security Council took up the matter, the Secretariat would then begin to prepare revised cost estimates. Processing the estimates should take two to three weeks.

29. Pursuant to General Assembly resolution 50/210, the Secretary-General had been granted financial authority to enter into commitments of up to $22 million from January 1996. Revised requirements for the period from January to June 1996 were currently estimated at $21.6 million. There would therefore be a balance of between $350,000 and $400,000 at the end of June. It would be useful if the General Assembly would consider extending the Secretary-General's commitment authority to the end of July so that the revised cost estimate submitted by the Secretariat could be properly reviewed by the Fifth Committee early in July.

30. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the figures given by the Controller for the period from January to June excluded the $5 million which had been rolled over to the period starting 1 July. That amount had already been approved by the General Assembly and could therefore be used during the period from January to June 1996. The amount actually available for the period January to June was therefore more than $21 million.

31. Mr. ODAGA-JALOMAYO (Uganda), supported by Mr. GRANT (United States of America), endorsed the proposal to give the Secretary-General commitment authority to the end of July, and not the end of June as previously suggested.

AGENDA ITEM 135: FINANCING OF THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA (continued) (A/50/712/Add.1-2 and A/50/936)

32. Mr. TAKASU (Controller) said that the cost estimate for the withdrawal period of the United Nations Assistance Mission for Rwanda (UNAMIR) amounted to $19.6 million gross; the cost estimate for the administrative closing down of the Mission amounted to $4.6 million gross. Document A/50/712/Add.2 was a preliminary report on the disposition of the Mission's assets. The equipment involved would be deployed to other operations, kept in reserve for subsequent resale, disposed of on the commercial market or contributed to the recognized Government of Rwanda. The total value of the assets had been estimated at $62.5 million. Approximately two thirds of that amount would be transferred to other peace-keeping operations; 10 per cent had been earmarked for transfer to programmes undertaken by United Nations offices and agencies operating in Rwanda, and the remainder would be donated to the Government of Rwanda.

33. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that although UNAMIR had been withdrawn from Rwanda, discussions were still going on regarding the establishment of a United Nations office in the country, which was currently estimated to cost $12 million during the biennium 1996-1997. The Advisory Committee had recommended appropriation and assessment of the withdrawal costs estimated by the Secretary-General.

34. In paragraph 28 of its report, the Advisory Committee had recommended that action on the Secretary-General's request to revise the appropriations for the period 10 June to 31 December 1996 should be deferred pending receipt of the performance report for the period. The Committee also recommended that the General Assembly should take note of the preliminary report on the disposition of assets.

35. Mr. ODAGA-JALOMAYO (Uganda) noted that past experience had shown that irregularities frequently occurred during the withdrawal stage of missions. He trusted that the withdrawal from Rwanda would be in strict compliance with the safeguards laid down by the General Assembly to prevent such irregularities. He also hoped that any equipment donated to the Government of Rwanda would be of genuine value.

The meeting rose at 4.20 p.m.